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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---------------|----------------------|---------------------|------------------|
| 10/809,755 | 03/25/2004 | Yoshifumi Kato | 5000-5154 | 7337 |
| 27123 75 | 90 12/15/2006 | | EXAMINER | |
| MORGAN & FINNEGAN, L.L.P. | | | PERRY, ANTHONY T | |
| 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101 | | | ART UNIT | ' PAPER NUMBER |
| | | • | 2879 | |

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) | | | | |
|---|--|--|--|--|--|--|
| | 10/809,755 | KATO ET AL. | | | | |
| Office Action Summary | Examiner | Art Unit | | | | |
| • | Anthony T. Perry | 2879 | | | | |
| The MAILING DATE of this communication | | | | | | |
| Period for Reply | | · | | | | |
| A SHORTENED STATUTORY PERIOD FOR RIWHICHEVER IS LONGER, FROM THE MAILIN Extensions of time may be available under the provisions of 37 Clafter SIX (6) MONTHS from the mailing date of this communicatio If NO period for reply is specified above, the maximum statutory period to reply within the set or extended period for reply will, by any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b). | G DATE OF THIS COMMUNICATER 1.136(a). In no event, however, may a report. eriod will apply and will expire SIX (6) MONTH statute, cause the application to become ABA | ATION. Ity be timely filed Its from the mailing date of this communication. NDONED (35 U.S.C. § 133). | | | | |
| Status | , | | | | | |
| 1) Responsive to communication(s) filed on | <u>05 September 2006</u> . | | | | | |
| , | | | | | | |
| • • | Since this application is in condition for allowance except for formal matters, prosecution as to the merits is | | | | | |
| closed in accordance with the practice und | der Ex parte Quayle, 1935 C.D. | 11, 453 O.G. 213. | | | | |
| Disposition of Claims | • | | | | | |
| 4) Claim(s) <u>1,2,4-6 and 8-28</u> is/are pending i | n the application. | • | | | | |
| 4a) Of the above claim(s) 22-28 is/are with | drawn from consideration. | | | | | |
| 5) Claim(s) <u>1,2,4-6 and 8-21</u> is/are allowed. | | | | | | |
| 6) Claim(s) is/are rejected. | | | | | | |
| 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction a | ind/or election requirement | | | | | |
| o) Claim(s) are subject to restriction a | major election requirement. | • | | | | |
| Application Papers | | | | | | |
| 9)☐ The specification is objected to by the Exa | | | | | | |
| 10) The drawing(s) filed on is/are: a) | | | | | | |
| Applicant may not request that any objection to | | | | | | |
| Replacement drawing sheet(s) including the control of the control | | | | | | |
| Priority under 35 U.S.C. § 119 | | | | | | |
| 12) ☐ Acknowledgment is made of a claim for for a) ☐ All b) ☐ Some * c) ☐ None of: | reign priority under 35 U.S.C. § | 119(a)-(d) or (f). | | | | |
| 1. Certified copies of the priority document | | | | | | |
| 2. Certified copies of the priority documents | | | | | | |
| Copies of the certified copies of the application from the International B | | eceived in this National Stage | | | | |
| * See the attached detailed Office action for | | eceived. | | | | |
| · · · · · · · · · · · · · · · · · · · | · · | | | | | |
| Attachment(s) | | | | | | |
| 1) Notice of References Cited (PTO-892) | | mmary (PTO-413) | | | | |
| 2) Notice of Draftsperson's Patent Drawing Review (PTO-94 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date | | Mail Date ormal Patent Application - | | | | |

DETAILED ACTION

Election/Restrictions

Newly submitted claims, 22-28, are directed to an embodiment shown in Fig. 2, which was not claimed in the originally filed application, and are independent or distinct from the invention originally claimed for the following reasons:

They require different search that is independent from the claims originally filed.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 22-28 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Allowable Subject Matter

Claims 1-2, 4-6, and 8-21 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to disclose or fairly suggest:

An organic electroluminescent device comprising: a Peltier element that includes
heat absorbing electrode and a heat radiating electrode, wherein the heat
absorbing electrode serves as an electrode of the organic electroluminescence
element or directly connected to an electrode of the organic electroluminescence

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element, in combination with the remaining claimed limitations as called for in claim 1 (claims 2, 5-6, and 8-10 are allowable for the same reasons since they are dependent on claim 1);

- An organic electroluminescent device comprising: a substrate including a semiconductor region, wherein Peltier elements and active driving elements are formed in the semiconductor region; and organic electroluminescence elements are each arranged on or above on of the heat absorbing electrodes and electrically connected to one of the active driving elements, in combination with the remaining claimed limitations as called for in claim 11 (claims 12-17 are allowable for the same reasons since they are dependent on claim 11);
- An organic electroluminescent device comprising: a Peltier element that includes heat absorbing electrode and a heat radiating electrode, wherein the heat absorbing electrode serves as an electrode of the organic electroluminescence element or directly connected to an electrode of the organic electroluminescence element, in combination with the remaining claimed limitations as called for in claim 18 (claims 19-21 are allowable for the same reasons since they are dependent on claim 18).

Conclusion

This application is in condition for allowance except for the following formal matters:

Non-elected claims 22-28 need to be canceled.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

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A shortened statutory period for reply to this action is set to expire TWO MONTHS

from the mailing date of this letter.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Anthony Perry whose telephone number is (571) 272-2459. The

examiner can normally be reached between the hours of 9:00AM to 5:30PM Monday thru

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for this

Group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Perry

Patent Examiner Art Unit 2879

December 9, 2006

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